

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TIMOTHY LEEPER,

Defendant.

8:14CR228

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on July 27, 2023 regarding Amended Petition for Offender Under Supervision [139]. Desirae Solomon represented the defendant. Kimberly Bunjer represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Offender Under Supervision [121]. The government's oral motion to dismiss Petition for Offender Under Supervision [121] is granted without objection.

The defendant requested a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The preliminary hearing is scheduled before U.S. Magistrate Judge Michael D. Nelson in Courtroom No. 6, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 2:30 p.m. on August 10, 2023

The government moved for detention based upon risk of flight and danger. The defendant requested a detention hearing which was held. The court finds that the defendant failed to meet his/her burden to establish by clear and convincing evidence that he/she will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The government's motion for detention is granted as to risk of flight and danger and the defendant shall be detained until further order of the Court.

The defendant shall be committed to the custody of the Attorney General or designated representative for confinement in a correctional facility and shall be afforded

a reasonable opportunity for private consultation with defense counsel. Upon order of a United States court or upon request of an attorney for the government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for an appearance in connection with a court proceeding.

IT IS SO ORDERED.

Dated this 27th day of July, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge